

21 C.J.S. Courts § 9

Corpus Juris Secundum | May 2023 Update

Courts

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I. In General

B. General Classification of Courts

§ 9. Civil courts or criminal courts

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Courts](#) 42(1), 42(6), 178

Courts may be designated as exclusively civil courts or criminal courts, and courts of general jurisdiction may be courts of both civil and criminal matters.

State courts may be designated by statute as civil courts,¹ criminal courts,² or, in the case of courts of general jurisdiction, courts of civil and criminal matters.³ A designated criminal court may exercise limited jurisdiction in an incidental civil matter arising in the course of a criminal matter,⁴ but a statute specifically precluding civil jurisdiction in a criminal court may prevail as the more specifically applicable jurisdictional provision, as opposed to a general jurisdictional statute.⁵

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Footnotes

¹ Mass.—[Retirement Bd. of Somerville v. Buonomo](#), 467 Mass. 662, 6 N.E.3d 1069 (2014).

² Tenn.—[Clinton Books, Inc. v. City of Memphis](#), 197 S.W.3d 749 (Tenn. 2006).

Tex.—[Texas Dept. of Public Safety v. Styron](#), 226 S.W.3d 576 (Tex. App. Houston 1st Dist. 2007).

As to the criminal jurisdiction of courts, see [C.J.S., Criminal Law §§ 189 to 222](#).

³ Kan.—[In re A.A.](#), 51 Kan. App. 2d 794, 354 P.3d 1205 (2015).

Minn.—[Mertins v. Commissioner of Natural Resources](#), 755 N.W.2d 329 (Minn. Ct. App. 2008).

Miss.—[Knox v. State](#), 75 So. 3d 1030 (Miss. 2011).

Nev.—[Halverson v. Hardcastle](#), 123 Nev. 245, 163 P.3d 428 (2007).

Wis.—[In re Ambac Assur. Corp.](#), 2012 WI 22, 339 Wis. 2d 48, 810 N.W.2d 450 (2012).

4 Tex.—[Texas Dept. of Public Safety v. Ackerman](#), 31 S.W.3d 672 (Tex. App. Waco 2000).

5 Tex.—[State ex rel. Curry v. Gilfeather](#), 937 S.W.2d 46 (Tex. App. Fort Worth 1996).

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